THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO: 26603 of 2005

Dated: 16-03-2006

Between:

M.Chinna Brahmaiah

..... PETITIONER

AND

Revenue Divisional Officer,

Kandukuru, Prakasam District

and two others.

.....RESPONDENTS

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 26603 of 2005

O R D E R:

This writ petition is filed seeking a declaration that the notification dated 03-12-

2005 issued by the first respondent-Revenue Divisional Officer, Kandukuru, inviting applications for appointment of fair price shop dealer in respect of shop No.1 of Choutapalem village, Darisi Mandal, Prakasam District, is arbitrary and illegal.

It is not in dispute that during the pendency of this writ petition, selections were finalized and one K. Subba Reddy was appointed as a dealer in respect of the fair price shop in question, who is impleaded as second respondent to this writ petition. Since the second respondent has already been appointed, I am of the opinion that if the petitioner is aggrieved, he ought to have availed the alternative remedy of appeal provided under the Andhra Pradesh State Public Distribution System Control Order, 2001.

Accordingly, the writ petition is disposed of granting leave and liberty to the petitioner to work out the alternative remedy available under the law. If any such appeal is filed within a period of four weeks from today, the same shall be entertained and appropriate orders be passed in accordance with law. No costs.

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G.ROHINI,J

Dated: 16-03-2006

Note: Issue C.C. in two days.

B/o

Klp/ghn